

**Opening Statement of the Honorable Fred Upton**  
**Subcommittee on Environment and the Economy**  
**“Update of Current Status of Nuclear Waste Management Policy”**  
**May 15, 2015**

Thank you, Chairman Shimkus, for holding this hearing and for your continued leadership on this important issue. I also thank the witnesses for being here this morning.

It's a pleasure to welcome Commissioner Greg White, who has served on the Michigan Public Service Commission since 2009. Commissioner White's service and national leadership on nuclear issues will be missed when his term concludes this summer.

33 years after the Nuclear Waste Policy Act was enacted into law, the federal government continues to struggle to fulfill its legal obligations to properly dispose of our spent nuclear fuel from commercial power plants, and our defense nuclear waste. Ironically, it's the lack of appropriations to finish out the job that is forcing additional costs on to American consumers and taxpayers.

The Nuclear Regulatory Commission, in partnership with the Department of Energy, has a statutory obligation to complete the licensing process for Yucca Mountain. To support this effort, the House of Representatives recently passed an appropriations bill with strong funding levels for DOE and NRC explicitly for this purpose. Additionally, the bill prohibited DOE from walking away from Yucca Mountain.

But after 30 years and \$15 billion spent on this permanent repository we seem to be at a standstill, and the current administration's nuclear waste management policy appears to be simply “delay and complicate.”

For example, in March the administration announced it would separate the disposal path of material generated by defense activities from commercial spent nuclear fuel and pursue a new repository solely for defense waste. This announcement marked a major departure from a 30 year-old bipartisan policy to dispose of commercial and defense waste in a single repository.

Recently there has been renewed interest and urgency in solving our nuclear waste management system deadlock. Breaking this deadlock will likely require legislation. Some suggest an interim storage program, intended to take title to commercial spent nuclear fuel and move defense nuclear waste on an accelerated timeframe. However, the Nuclear Waste Policy Act blocks licensing of an interim storage facility until construction of a permanent geological repository is authorized by the NRC. Linking an interim storage site to the development of a permanent repository could represent a breakthrough in nuclear waste management policy. But we must ensure that spent nuclear fuel will not be stored in an “interim” facility forever.

Other proposals emphasize moving “stranded fuel,” or spent nuclear fuel from shutdown reactors. Despite the urgency many of us feel about these closed down sites, taking care of them should not be pursued to the exclusion of dealing with fuel throughout the entire system.

I hope today’s hearing will advance the discussion to break the current impasse in our nation’s nuclear waste management policy. Our witnesses today bring years of experience and deep commitment to resolving the nuclear waste question.